

**REMARKS/ARGUMENTS**

Claims 1, 4-12, 14, 15, 18 and 19 are pending in this application. By this Amendment, claims 1, 4, 7-9, 12, 14 and 18 are amended, and claims 3, 13, 16 and 17 are canceled without prejudice or disclaimer.

The Examiner is thanked for the courtesies extended to Applicant's representative during the personal interview conducted on June 6, 2007. The substance of the personal interview, including any agreements reached, are reflected in the above amendments and the following remarks. Withdrawal of the rejections is respectfully requested.

**I. Rejection Under 35 U.S.C. §102(e)**

The Office Action rejects claims 1, 5, 11, 12 and 19 under 35 U.S.C. §102(e) over Elick et al., U.S. Patent Publication No. 2004/0003830 (hereinafter "Elick"). The rejection is respectfully traversed.

Independent claim 1 is directed to a filter assembly for a dishwasher. Independent claim 1 recites that the filter assembly includes a plurality of concentrically aligned filters, wherein the outermost filter of the filter assembly has the smallest holes of each of the plurality of filters. The filter assembly also includes at least one stationary cleaning nozzle provided at a predetermined position adjacent an outer circumference of the filter assembly facing the outermost filter of the filter assembly. Claim 1 further recites that the at least one cleaning nozzle is fixed to a portion of the sump proximate the filter assembly so as to be in communication with said water circulating means, and wherein the at least one cleaning nozzle is

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configured to spray pressurized water supplied by said water circulating means into the filter assembly. Independent claim 12 recites similar features in varying scope. As agreed during the personal interview, Elick neither discloses nor suggests the features recited in independent claims 1 and 12 as amended, or the respective claimed combinations of features.

Accordingly, it is respectfully submitted that independent claims 1 and 12 are not anticipated by Elick, and thus the rejection of independent claims 1 and 12 under 35 U.S.C. §102(e) over Elick should be withdrawn. Dependent claims 5, 11 and 19 are allowable at least for the reasons set forth above with respect to independent claims 1 and 12, from which they respectively depend, as well as for their added features.

## **II. Rejection Under 35 U.S.C. §103(a)**

The Office Action rejects claims 3, 4, 6-10 and 13-18 under 35 U.S.C. §103(a) over Elick. Claims 3, 13, 16 and 17 have been cancelled. The rejection, in so far as it applies to claims 4, 6-10, 14, 15 and 18, is respectfully traversed.

Dependent claims 4, 6-10, 14, 15 and 18 are allowable over Elick at least for the reasons set forth above with respect to independent claims 1 and 12, from which they respectively depend, as well as for their added features. Further, it is respectfully submitted that, as discussed during the personal interview, it would not have been obvious to modify the dishwasher disclosed by Elick in the manner suggested in the Office Action. Rather, such a modification would likely destroy the originally intended utility and functionality of Elick's system. Accordingly, it is respectfully submitted that claims 4, 6-10, 14, 15 and 18 are allowable over

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Elick, and thus the rejection of claims 4, 6-10, 14, 15 and 18 under 35 U.S.C. §103(a) over Elick should be withdrawn.

The Office Action rejects claims 3-4, 7-10 and 13-18 under 35 U.S.C. §103(a) over Elick in view of U.S. Patent No. 3,122,148 to Alabaster (hereinafter “Alabaster”). Claims 3, 13, 16 and 17 have been cancelled. The rejection, in so far as it applies to claims 4, 7-10, 14, 15 and 18, is respectfully traversed.

It does not appear possible to combine the filter disclosed by Alabaster into the dishwasher disclosed by Elick. For at least this reason, it is respectfully submitted that the combination is references is improper and that the rejection should be withdrawn.

However, even if Elick and Alabaster are improperly combined, dependent claims 4, 7-10, 14, 15 and 18 are still allowable over Elick at least for the reasons set forth above with respect to independent claims 1 and 12, from which they respectively depend, as well as for their added features. Further, Alabaster is merely cited as allegedly teaching a multiplicity of filters, and thus fails to overcome the deficiencies Elick noted above. Accordingly, it is respectfully submitted that claims 4, 7-10, 14, 15 and 18 are allowable over the applied combination, and thus the rejection of claims 4, 7-10, 14, 15 and 18 under 35 U.S.C. §103(a) over Elick and Alabaster should be withdrawn.

Serial No. **10/721,736**

Docket No. **K-0571**

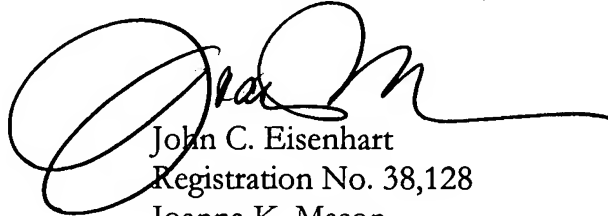
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**III. Conclusion**

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned, **Joanna K. Mason**, at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,  
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**Date: June 20, 2007**  
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